IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

S.T.Rev..No.215 of 2007

ORDER DATED 28.6.2006 IN T.A.126/2006 OF KERALA SALES TAX APPELLATE TRIBUNAL, ADDITIONAL BENCH, KOTTAYAM

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PETITIONER/APPELLANT/RESPONDENT REVENUE:-

STATE OF KERALA, REPRESENTED BY JOINT COMMISSIONER (LAW) IN-CHARGE COMMERCIAL TAXES, ERNAKULAM.

BY SENIOR GOVERNMENT PLEADER MR.MOHAMMED RAFIQ

RESPONDENT/RESPONDENT/APPELLANT/ASSESSEE:-

SRI. GEORGE VARGHESE,
M/S. GENERAL RUBBERS, KOTTAYAM.

THIS SALES TAX REVISION HAVING COME UP FOR ORDERS ON 23/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

H.L.Dattu,C.J. & K.T.Sankaran,J.

S.T.Rev.No.215 of 2007 & C.M.Appln.No.669 of 2007

Dated, this the 23rd day of July, 2007

ORDER

H.L.Dattu,C.J.

State being aggrieved by the orders passed by the Kerala Sales Tax Appellate Tribunal, Additional Bench, Kottayam in T.A.No.126 of 2006 dated 28.6.2006 is before us in this revision petition.

(2) In filing the revision petition there is a delay of 176 days. To condone the said delay, C.M.Appln.No.669 of 2007 is filed under section 5 of the Limitation Act. Along with the said application a printed affidavit is filed before us. In the said affidavit except stating that the papers were moving from table to table and person to person, no other explanation is offered by the revenue for the delay in filing the revision petition.

(3) The explanation offered by the petitioner for condonation of the delay in filing the Sales Tax Revision case is wholly unsatisfactory. Therefore, the delay in filing the revision petition cannot be condoned by us. Accordingly the application for condonation of delay requires to be rejected and it is rejected.

(4) Consequently the revision petition is also rejected.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-